

JPL:MSA
F.#2012R00311

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M 12- 193

- - - - -X

UNITED STATES OF AMERICA

- against -

DEBAL COCHRAN,
also known as "D-Murder,"

Defendant.

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF ARREST
WARRANT

(T. 18, U.S.C.,
§ 922(g)(1))

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

IAN TOMAS, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

Upon information and belief, on or about February 22, 2012, within the Eastern District of New York, the defendant DEBAL COCHRAN, also known "D-Murder," having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Jennings .22 caliber pistol.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. My information in this case comes from my review of records maintained by the New York City Police Department ("NYPD") and other law enforcement agencies, and conversations with NYPD officers.

2. On or about February 22, 2012, at approximately 12:45 a.m., NYPD plain-clothed officers responded to a report of a male in possession of a firearm in the vicinity of Schenectady Avenue and St. Marks Place, in Brooklyn, New York. One of the officers observed two males walking on St. Marks between Schenectady and Utica Avenues. The officers approached the males.

3. As the officers approached, an officer observed that the defendant holding a black object in his right hand. When the officer identified himself as a police officer, the defendant first turned his body to shield the object from view and then threw what was determined to be a loaded Jennings .22 caliber pistol to the sidewalk. The officers arrested the defendant and seized the pistol from the sidewalk.

^{1/} Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

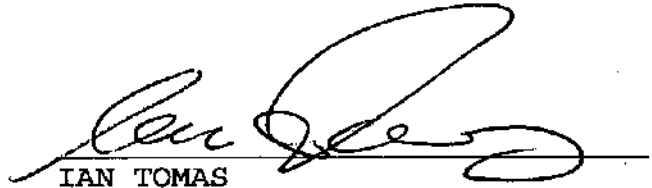
4. Following his arrest, the defendant received and waived his Miranda warnings. In sum and substance, the defendant admitted that he possessed and owned the firearm. The defendant explained that he did not customarily carry a firearm, but that he had done "things" to people in the past, and believed that those individuals might retaliate against him. The defendant further stated that he preferred to commit an act of violence against an individual before the individual did the same to him. The defendant stated that, at the time of his arrest, he saw the two officers approach, but did not realize that they were police officers until it was too late.

5. I have reviewed the defendant's criminal history report. The report reflects that, on July 10, 2008, he was convicted of felony Assault in the Second Degree (Assault with Intent to Cause Physical Injury with a Weapon or Dangerous Instrument), in violation of New York Penal Law § 120.05(2), which is punishable by a term of imprisonment exceeding one year.

6. I am informed by a special agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives, who informed me that Jennings firearms are not manufactured in New York State.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant DEBAL COCHRAN, also

known as "D-Murder," so that he may be dealt with according to law.

A handwritten signature in black ink, appearing to read "Ian Tomas", is written over a horizontal line.

IAN TOMAS
Special Agent
Federal Bureau of Investigation

Sworn to before me this
27th day of February, 2012

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK